

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

_____	)	
BRITISH TELECOMMUNICATIONS PLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. _____
	)	
STMICROELECTRONICS, INC.,	)	
	)	
Defendant.	)	
_____	)	

**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff British Telecommunications plc ("BT") brings this Complaint against Defendant STMicroelectronics, Inc. ("STM"), and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action for patent infringement under 35 U.S.C. § 271 *et. seq.*, by BT against STM for infringement of United States Patent No. 5,153,591 ("the '591 patent"). Through the actions complained of herein, STM has willfully and knowingly infringed the '591 patent in defiance of BT's rights.

**PARTIES**

2. Plaintiff BT is a corporation organized under the laws of England and Wales, and has its principal place of business at 81 Newgate Street, London EC1A 7AJ, United Kingdom.

3. On information and belief, Defendant STM is a corporation incorporated under the laws of Delaware, maintains a sales office at 10 Maguire Road, Building 1, 3rd Floor,

Lexington, Massachusetts, and operates, conducts, and transacts business in the Commonwealth of Massachusetts. On information and belief, STM has been importing, marketing, offering to sell, and selling products that infringe and/or cause infringement of the '591 patent. These acts of infringement have been occurring in Massachusetts and elsewhere within the United States.

### **JURISDICTION AND VENUE**

4. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et. seq.*
5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).
6. STM is subject to personal jurisdiction in this judicial district.
7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and/or 1400(b).

### **CLAIM FOR RELIEF STM'S INFRINGEMENT OF U.S. PATENT NO. 5,153,591**

8. On October 6, 1992, the '591 patent, entitled "Method and Apparatus for Encoding, Decoding and Transmitting Data in Compressed Form," was duly and legally issued by the United States Patent & Trademark Office. The '591 patent remained valid and enforceable in relation to acts of infringement that occurred prior to its expiration. A true and correct copy of the '591 patent is attached hereto as Exhibit A.
9. At all times relevant to this action, BT has been the lawful owner of the '591 patent.
10. On information and belief, STM has been infringing the '591 patent under 35 U.S.C. § 271 *et. seq.* by, without limitation, making, using, offering to sell, selling, and/or

importing products that practice inventions claimed by the '591 patent, inducing others to infringe, and/or committing acts of contributory infringement. Such products include, without limitation, the AeroFONE single-chip GSM/GPRS chipsets and accompanying software, and those other products and components of STM, including chips, chipsets, firmware, and/or software, that enable compression and decompression of data to be transmitted over wireless and/or wireline networks employing and/or using methods claimed by the '591 patent, including, but not limited to, data compression and decompression methods in accordance with the ITU-T V.42bis Recommendation (the "Infringing Products").

11. STM has been placed on notice of the '591 patent and STM's infringement of that patent by BT.

12. On information and belief, notwithstanding the fact that BT had placed STM on actual notice of its infringement of the '591 patent, STM nonetheless continued to conduct its infringing activities itself and/or through joint venture activities for which it is responsible willfully and wantonly throughout the remaining life of the '591 patent.

13. BT has incurred damages as a result of STM's willful infringement of the '591 patent.

### **REQUEST FOR RELIEF**

WHEREFORE, BT respectfully requests that this Court:

- (a) enter judgment that STM has infringed one or more claims of the '591 patent directly and/or by inducing or contributing to infringement by others;
- (b) award BT all relief available under the patent laws of the United States based on STM's infringement, including, but not limited to, monetary damages and prejudgment interest;

- (c) enter judgment that STM's acts of infringement have been willful and award BT enhanced damages under 35 U.S.C. § 284;
- (d) determine that this case is exceptional under 35 U.S.C. § 285 and award BT its attorneys' fees and costs of suit; and
- (e) provide BT such additional and further relief as the Court deems proper.

### **DEMAND FOR JURY TRIAL**

BT demands a trial by jury on all issues so triable.

Respectfully Submitted,

BRITISH TELECOMMUNICATIONS PLC,

By its attorneys,

/s/ Mark W. Batten

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#### **Of Counsel**

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